REMARKS

Claims Status

Claims 1-23 were pending.

In the Office Action mailed June 12, 2003, claims 18-23 were allowed. Applicant thanks the Examiner for consideration and allowance of claims 18-23.

Claims 1-17 were rejected under 35 U.S.C. § 102 (e) as anticipated by U.S. Patent No. 6,460,036 to Herz. Applicant respectfully traverses the rejections of claim 1-17 for the reasons set forth below, and requests allowance of all claims in due course.

Claims 1-2

Independent claim 1 recites, in part, "distributing the negotiant function to a consumer for execution by said consumer." Herz, by contrast, does not teach or suggest distributing a negotiant function to a consumer. Rather, Herz uses a proxy server, which is distinct from the Herz client, and the Herz proxy server "acts on the request R." Col. 39, line 38. That is, the proxy server, shown as S2 in Herz's Fig. 2, not the Herz client, performs bi-directional routing of commands, target objects and billing information between the user at a given client and other network entities:

> A proxy server, e.g., S2, is a server computer with CPU,
> main memory, secondary disk storage and network
> communication function and with a database function
> which retrieves the target profile interest summary and
> access control instructions associated with a particular
> pseudonym P, which represents a particular user U, and
> performs bi-directional routing of commands, target objects
> and billing information between the user at a given client
> (e.g. C3) and other network entities such as network
> vendors V1-Vk and information servers I1- Im.

Col. 34, lines 44-53. See also col. 32, lines 37-68.

This architectural distinction between Applicant's claim and Herz is significant because the claimed system can provide privacy protection without the cost and engineering complexity of pseudonym management. For example, in one embodiment of Applicant's system, user privacy can be based on the hiding of user profiles, not user

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identities. In another embodiment with even stronger privacy protection, user requests can be separated from user identities using a mix network. In either case, use of pseudonyms is not required.

Thus, for at least the reasons described above, independent claim 1 and dependent claim 2 are patentable over Herz.

Claims 4-6

Independent claim 3 recites, in part, "receiving a negotiant function for execution" and "executing said negotiant function to generate the information request." As described above, no element of the Herz system receives a negotiant function for execution and executes the negotiant function. As such, independent claim 3 and dependent claims 4-6 are patentable over Herz.

Claims 7-17

Independent claim 7 recites, in part, "distributing a negotiant function for execution to a plurality of consumers." Claim 7 also recites, in part, "a first information request . . . associated with a first consumer and obtained by applying a first negotiant function to an element of data associated with the first consumer." As described above, Herz does not distribute a negotiant function. Rather, Herz relies on a proxy server. Further, the Herz proxy server does not receive a request obtained by applying a negotiant function to consumer data. Again, this because the Herz client does not have anything resembling the claimed negotiant function. As such, independent claim 7 and dependent claims 8-17 are patentable over Herz.

Conclusion

In view of the foregoing, Applicant respectfully requests reconsideration, withdrawal of all grounds of rejection, and allowance of claims 1-23 in due course. The Examiner is invited to contact Applicant's undersigned representative by telephone at the number listed below to discuss any outstanding issues.

Respectfully submitted,

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